

1-1 By: Ellis S.B. No. 300  
1-2 (In the Senate - Filed January 24, 2007; January 30, 2007,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 February 14, 2007, rereferred to Committee on Government  
1-5 Organization; March 12, 2007, reported favorably by the following  
1-6 vote: Yeas 4, Nays 0; March 12, 2007, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the duration of judgment liens in favor of the state.  
1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 52.006, Property Code, is amended to  
1-12 read as follows:

1-13 Sec. 52.006. DURATION OF LIEN. (a) Except as provided by  
1-14 Subsection (b), a [A] judgment lien continues for 10 years  
1-15 following the date of recording and indexing the abstract, except  
1-16 that if the judgment becomes dormant during that period the lien  
1-17 ceases to exist.

1-18 (b) Notwithstanding Section 34.001, Civil Practice and  
1-19 Remedies Code, a judgment in favor of the state or a state agency,  
1-20 as that term is defined by Section 403.055, Government Code, does  
1-21 not become dormant. A properly filed abstract of the judgment  
1-22 continues to constitute a lien under Section 52.001 until the  
1-23 earlier of the 20th anniversary of the date the abstract is recorded  
1-24 and indexed or the date the judgment is satisfied or the lien is  
1-25 released. The judgment lien may be renewed for one additional  
1-26 20-year period by filing, before the expiration of the initial  
1-27 20-year period, a renewed abstract of judgment in the same manner as  
1-28 the original abstract of judgment is filed. The renewed judgment  
1-29 lien relates back to the date the original abstract of judgment was  
1-30 filed.

1-31 SECTION 2. The change in law made by this Act applies to:

1-32 (1) a judgment, if the judgment is not then dormant,  
1-33 that exists on the effective date of this Act;

1-34 (2) a judgment lien on record before the effective  
1-35 date of this Act; or

1-36 (3) a judgment entered or abstract of judgment  
1-37 recorded and indexed on or after the effective date of this Act.

1-38 SECTION 3. This Act takes effect immediately if it receives  
1-39 a vote of two-thirds of all the members elected to each house, as  
1-40 provided by Section 39, Article III, Texas Constitution. If this  
1-41 Act does not receive the vote necessary for immediate effect, this  
1-42 Act takes effect September 1, 2007.

1-43 \* \* \* \* \*